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Kathleen J. Moore

(typed name)

Kathleen J. Moore

(signature)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:]	
Albrecht Sailer, Juergen Schneider,]	Group Art Unit: 3747
and Bernd Ruess]	
]	
Application No. 10/588,880]	Examiner:
Filed: May 14, 2007]	
]	
For: Metallic Cylinder Head Gasket]	Attorney Docket: 1-17876

August 17, 2007

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Attention: OIPE - Filing Receipt Corrections

REQUEST FOR CORRECTED FILING RECEIPT

Honorable Sir:

Attached is a copy of the Filing Receipt dated September 4, 2007, which we received from the U.S. Patent and Trademark Office in the above-captioned application. Upon reviewing the Filing Receipt, we found errors in both the second and third inventors' names which require correction:

1. "Jurgen Schneider" is incorrect and should be Juergen Schneider; and
2. "Bernd Raess" is incorrect and should be Bernd Ruess.

Attached is a copy of the executed Combined Declaration and Power of Attorney document filed in the U.S. Patent and Trademark Office on May 14, 2007, along with our "Response to Notification of Missing Requirements" as supporting documentation, correctly identifying the spelling of the third inventor's name as "Bernd Ruess" and we previously addressed the issue of the spelling of the second inventor's name in our response to the


Notification of Missing Requirements, clarifying that the English spelling of the German name "Jürgen Schneider" is "Juergen Schneider", i.e., the umlaut is suppressed and replaced with "ue", which is the English equivalent of ü.

Applicants respectfully request issuance of a Corrected Filing Receipt to correct the second and third inventors' names to read as follows:

--**Juergen** Schneider, Merklingen, GERMANY--; and

--Bernd **Ruess**, Vohringen, GERMANY--.

Respectfully submitted,

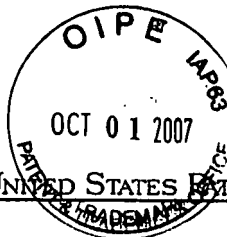


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Registration No. 47,281

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPL NO.	FILING OR 371(c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	TOT CLMS	IND CLMS
10/588,880	05/14/2007	3747	1030	60680-2113	2	2

CONFIRMATION NO. 4472

10291
 RADER, FISHMAN & GRAUER PLLC
 39533 WOODWARD AVENUE
 SUITE 140
 BLOOMFIELD HILLS, MI 48304-0610

FILING RECEIPT



OC000000025590235

Date Mailed: 09/04/2007

Receipt is acknowledged of this nonprovisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Albrecht Sailer, Neu-Ulm, GERMANY;
 Jurgen Schneider, Merklingen, GERMANY; should be --Juergen Schneider--
 Bernd Raess, Vohringen, GERMANY; should be --Bernd Ruess--

Power of Attorney: The patent practitioners associated with Customer Number 10291.

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/EP05/01348 02/10/2005

Foreign Applications

GERMANY 10 2004 006 483.0 02/10/2004

If Required, Foreign Filing License Granted: 08/28/2007

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/588,880**

Projected Publication Date: 12/06/2007

Non-Publication Request: No

Early Publication Request: No

Title

Metallic Cylinder Head Gasket

Preliminary Class

123

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

LICENSE FOR FOREIGN FILING UNDER Title 35, United States Code, Section 184 Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted

under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

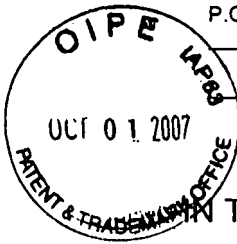
The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

"Express Mail" Label Number EV 659494112 US

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on May 14, 2007 and is addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Kathleen J. Moore
(Signature of person mailing correspondence)

Kathleen J. Moore
(Typed name of person mailing correspondence)

COPY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

ALBRECHT SAILER, JUERGEN
SCHNEIDER, and BERND RUESS

Group Art Unit:

Filing Under 35 U.S.C. 371 in DO/EO/US
of PCT/EP2005/001348 filed 10 February
2005

Examiner:

For: METALLIC CYLINDER HEAD
GASKET

Attorney Docket 1-17876

May 14, 2007

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

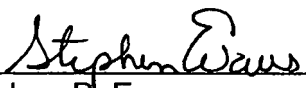
In response to the "Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US)" dated April 2, 2007 (copy attached), enclosed is the executed Declaration and Power of Attorney document, as well as a "Revocation of Power of Attorney with New Power of Attorney and Change of Correspondence Address" with "Statement under 37 CFR 3.73(b)" and copy of the Assignment. Please note that the umlaut (ü) in the second inventor's name, Jürgen Schneider, should be replaced with the letter "u" followed by an "e" (ue), which is the English equivalent of the German name, and should read --Juergen Schneider--.

Also enclosed is an Assignment document from the inventors, Albrecht Sailer, Juergen Schneider and Bernd Ruess to REINZ-Dichtungs-GmbH for recordation.

A check in the amount of \$170.00 is enclosed to cover the requisite fees: \$130.00 surcharge for late filing of the Declaration and \$40.00 for recordation of the Assignment.

Please charge any additional fees due or credit any overpayment to Deposit Account No. 13-1816.

Respectfully submitted,



Stephen P. Evans
Registration No. 47,281

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/588,880	Albrecht Sailer	60680-2113

INTERNATIONAL APPLICATION NO.

PCT/EP05/01348

I.A. FILING DATE	PRIORITY DATE
02/10/2005	02/10/2004

10291
RADER, FISHMAN & GRAUER PLLC
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SUITE 140
BLOOMFIELD HILLS, MI 48304-0610

CONFIRMATION NO. 4472

371 FORMALITIES LETTER



OC000000023204972

Date Mailed: 04/02/2007

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 08/09/2006
- Copy of the International Search Report filed on 08/09/2006
- Copy of IPE Report filed on 08/09/2006
- Preliminary Amendments filed on 08/09/2006
- Information Disclosure Statements filed on 08/09/2006
- Request for Immediate Examination filed on 08/09/2006
- U.S. Basic National Fees filed on 08/09/2006
- Priority Documents filed on 08/09/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

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APR 17 2007

MARSHALL & KETTER, LLC

- \$130 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.

<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

LAMONT M HUNTER

Telephone: (703) 308-9140 EXT 201

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/588,880	PCT/EP05/01348	60680-2113

Declaration and Power of Attorney for Patent Application Erklärung für Patentanmeldungen mit Vollmacht

German Language Declaration

Als nachstehend benannter Erfinder erkläre ich hiermit an Eides Statt:

As a below named inventor, I hereby declare that:

daß mein Wohnsitz, meine Postanschrift und meine Staatsangehörigkeit den im nachstehenden nach meinem Namen aufgeführten Angaben entsprechen, daß ich nach bestem Wissen der ursprüngliche, erste und alleinige Erfinder (falls nachstehend nur ein Name angegeben ist) oder ein ursprünglicher, erster und Miterfinder (falls nachstehend mehrere Namen aufgeführt sind) des Gegenstandes bin, für den dieser Antrag gestellt wird und für den ein Patent für die Erfindung mit folgendem Titel beantragt wird:

My residence, post office address and citizenship are as stated next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

METALLIC CYLINDER HEAD GASKET

METALLIC CYLINDER HEAD GASKET

deren Beschreibung hier beigelegt ist, es sei denn (in diesem Falle Zutreffendes bitte ankreuzen), diese Erfindung

the specification of which is attached hereto unless the following box is checked:

☐ wurde angemeldet am
unter der US-Anmeldenummer oder unter der
Internationalen Anmeldenummer im Rahmen des
Vertrags über die Zusammenarbeit auf dem Gebiet
des Patentwesens (PCT).

☒ was filed on August 9, 2006 as U.S. Serial No.

Ich bestätige hiermit, daß ich den Inhalt der oben angegebenen Patentanmeldung, einschließlich der Ansprüche, die durch einen oben erwähnten Zusatzantrag und in einem "preliminary amendment" abgeändert wurden, durchgesehen und verstanden habe.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above and as amended in a preliminary amendment.

Ich erkenne meine Pflicht zur Offenbarung jeglicher Informationen an, die eventuell zur Prüfung der Patentfähigkeit in Einklang mit Titel 37, Code of Federal Regulations, § 1.56 von Belang sind.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

[Page 1 of 3]

German Language Declaration

Ich beanspruche hiermit ausländische Prioritätsvorteile gemäß Title 35, US-Code, § 119 (a)-(d), bzw. § 365(b) aller unten aufgeführten Auslandsanmeldungen für Patente oder Erfinderurkunden, oder §365(a) aller PCT internationalen Anmeldungen, welche wenigstens ein Land ausser den Vereinigten Staaten von Amerika benennen, und habe nachstehend durch ankreuzen sämtliche Auslandsanmeldungen für Patente bzw. Erfinderurkunden oder PCT internationale Anmeldungen angegeben, deren Anmeldetag dem der Anmeldung, für welche Priorität beansprucht wird, vorangeht.

I hereby claim foreign priority under Title 35, United States Code, §119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Applications
(Frühere ausländische Anmeldungen)

Priority Not Claimed
Priorität nicht beansprucht

10 2004 006 483.0 Germany

10 February 2004

☐

PCT/EP05/001348 WIPO

10 February 2005

☐

Number Country

Day/Month/Year Filed

☐

Ich beanspruche hiermit Prioritätsvorteile unter Title 35, US-Code, § 119(e) aller US-Hilfsanmeldungen wie unten aufgezählt.

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

Application No. , filed on

Application No. , filed on

Ich beanspruche hiermit die mir unter Title 35, US-Code, § 120 zustehenden Vorteile aller unten aufgeführten US-Patentanmeldungen bzw. § 365(c) aller PCT internationalen Anmeldungen, welche die Vereinigten Staaten von Amerika benennen, und erkenne, insofern der Gegenstand eines jeden früheren Anspruchs dieser Patentanmeldung nicht in einer US-Patentanmeldung, bzw. PCT internationalen Anmeldung in in einer gemäß dem ersten Absatz von Title 35, US-Code, § 112 vorgeschriebenen Art und Weise offenbart wurde, meine Pflicht zur Offenbarung jeglicher Informationen an, die zur Prüfung der Patentfähigkeit in Einklang mit Title 37, Code of Federal Regulations, § 1.56 von Belang sind und die im Zeitraum zwischen dem Anmeldetag der früheren Patentanmeldung und dem nationalen oder im Rahmen des Vertrags über die Zusammenarbeit auf dem Gebiet des Patentwesens (PCT) gültigen internationalen Anmeldetags bekannt geworden sind.

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

Application No. , filed on

Status: patented/pending/abandoned)

Application No. , filed on

Status: patented/pending/abandoned)

Ich erkläre hiermit, daß alle in der vorliegenden Erklärung von mir gemachten Angaben nach bestem Wissen und Gewissen der Wahrheit entsprechen, und ferner daß ich diese eidesstattliche Erklärung in Kenntnis dessen ablege, daß wissentlich und vorsätzlich falsche Angaben oder dergleichen gemäß § 1001, Title 18 des US-Code strafbar sind und mit Geldstrafe und/oder Gefängnis bestraft werden können und daß derartige wissentlich und vorsätzlich falsche Angaben die Rechtswirksamkeit der vorliegenden Patentanmeldung oder eines aufgrund deren erteilten Patentes gefährden können.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

German Language Declaration

VERTRETUNGSVOLLMACHT: Als benannter Erfinder beauftrage ich hiermit den (die) nachstehend aufgeführten Patentanwalt (Patentanwälte) und/oder Vertreter mit der Verfolgung der vorliegenden Patentanmeldung sowie mit der Abwicklung aller damit verbundenen Angelegenheiten vor dem US-Patent- und Markenamt:

Michael B. Stewart, Reg. No. 36,018
Robert M. Leonardi, Reg. No. 27,815
Phillip A. Rotman, II, Reg. No. 38,290
Kristene Ragan, Reg. No. 48,611
Customer No. 010291

Korrespondenzadresse:

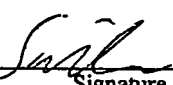
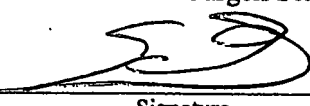
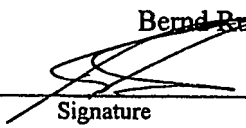
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39533 Woodward Avenue
Bloomfield Hills MI 48304
Telefon: (248) 594-0633

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

Michael B. Stewart, Reg. No. 36,018
Robert M. Leonardi, Reg. No. 27,815
Phillip A. Rotman, II, Reg. No. 38,290
Kristene Ragan, Reg. No. 48,611
Customer No. 010291

Correspondence Address:

Michael B. Stewart
Rader, Fishman & Grauer PLLC
Suite 140
39533 Woodward Avenue
Bloomfield Hills MI 48304
Phone No.: (248) 594-0633

<p align="center">FIRST NAMED INVENTOR</p> <p align="center">Albrecht Sailer</p> <p> August 20, 2006</p> <p align="center">Signature Date</p> <p align="center">P.O. ADDRESS and RESIDENCE</p> <p align="center">Bgm.-Lopp-Strasse 4 89233 Neu-Ulm GERMANY</p> <p align="center">Citizen of Germany</p>	<p align="center">SECOND NAMED INVENTOR</p> <p align="center">Jürgen Schneider</p> <p> August 20, 2006</p> <p align="center">Signature Date</p> <p align="center">P.O. ADDRESS and RESIDENCE</p> <p align="center">Laichinger Weg 21 89188 Merklingen GERMANY</p> <p align="center">Citizen of Germany</p>
<p align="center">THIRD NAMED INVENTOR</p> <p align="center">Bernd Paess</p> <p> August 20, 2006</p> <p align="center">Signature Date</p> <p align="center">P.O. ADDRESS and RESIDENCE</p> <p align="center">Riedlesweg 1 89269 Vöhringen GERMANY</p> <p align="center">Citizen of Germany</p>	<p align="center">FOURTH NAMED INVENTOR</p> <p align="center"> </p> <p align="center">Signature Date</p> <p align="center">P.O. ADDRESS and RESIDENCE</p> <p align="center"> </p> <p align="center">Citizen of</p>



If box is checked, subsequent inventors are listed on a separate sheet